



Planning Commission Workshop Agenda

CITY HALL
CONFERENCE ROOM 2A
JUNE 2, 2011
6:00 P.M.

I. CALL TO ORDER

II. ROLL CALL

III. ITEM

1. **ZTA09-01:** A request by the City of Glendale Planning Commission to amend Article 1 Purpose and Applicability, Article 2 Definitions and Rules of Construction, Article 2 Administration, Article 5 Zoning Districts and Boundaries, Article 6 Overlay District Regulations, and Article 7 General Development Standards. The proposed changes, if adopted, would amend sections of the zoning code pertaining to Freeway Billboard Signs, Cell Towers, Expanded Notice Requirements, Ham Radio Towers, No Smoking Areas, Variance Requirements, and Color Changes. Staff Contact: Thomas Ritz, AICP, Senior Planner (City-Wide).

IV. OTHER BUSINESS

V. ADJOURNMENT

FOR SPECIAL ACCOMMODATIONS



Please contact Diana Figueroa at (623) 930-2808 or dfigueroa@glendaleaz.com at least three working days prior to the meeting if you require special accommodations due to a disability. Hearing impaired persons should call (623) 930-2197.



Planning Commission Workshop Staff Report

DATE: June 2, 2011 **AGENDA ITEM:** /

TO: Planning Commission

FROM: Tabitha Perry, Principal Planner
PRESENTED BY: Thomas Ritz, AICP, Senior Planner

SUBJECT: **ZONING ORDINANCE TEXT AMENDMENT ZTA09-01:
ZONING ORDINANCE UPDATE - CITYWIDE**

REQUEST: A request by the City of Glendale Planning Department to amend the Zoning Ordinance to address specific items.

REQUIRED ACTION: Review the request in preparation for a public hearing to be held on June 2, 2011. This item is for information only. No Planning Commission action is required at the workshop. The Zoning Ordinance Text Amendment was initiated by the Planning Commission at its January 15, 2009 Workshop.

SUMMARY: This is a request to amend the Zoning Ordinance. This is a focused amendment, proposing changes to specific items as follows:

1. Freeway Billboard Signs
2. Wireless Communications Facilities
3. Expanded Public Notice Requirements
4. Designated Smoking Areas
5. Variance Requirements
6. Exterior Color Changes

DETAILS OF REQUEST:

The proposed changes will result in the amendment of the zoning ordinance to address six issues of particular interest to address issues of significance.

Property Location and Size:

The Zoning Text Amendment is proposed to apply city-wide, with freeway billboard signs limited to Planned Area Development districts along the Loop 101, Loop 303, and Northern Parkway.

Findings:

- This is a focused amendment, proposing changes to specific items.
- The proposed zoning ordinance amendments will address these issues of significance and demonstrate staff's responsiveness to the issues raised.

Analysis:

- The proposal is responsive to items of significance including expanded public notice area and continued protection of residential neighborhoods from flashing signs.
- By providing a new section concerning Freeway Billboard Signs, the current section that addresses billboards will remain unchanged.
- The new section of Freeway Billboard Signs insures that sites where they are placed have demonstrated a significant existing investment in the community, and prevent their placement on small sites which could negatively impact neighboring residential areas.

ATTACHMENT:

1. Draft of Proposed Zoning Ordinance Amendments.

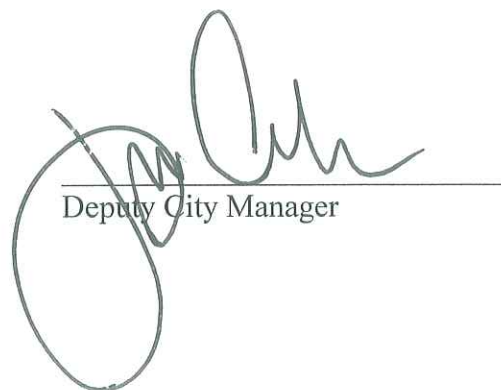
PROJECT MANAGER:

Thomas Ritz, AICP, Senior Planner (623) 930-2588
tritz@glendaleaz.com

REVIEWED BY:


Planning Director

TR/df


Deputy City Manager

Zoning Text Amendment Application ZTA09-01: Zoning Ordinance Update

Draft of Proposed Zoning Ordinance Amendments

**May 27, 2011
Glendale, Arizona**

The text amendments (**additions in bold text**, *deletions in italics*) are as follows:

Section 1.404.B. – Development Standards should be amended to read:

1.404.B. Any site which is nonconforming due to deficiencies of development standards and which require design review shall, as a requirement of design review, be brought into conformance including, but not limited to, development standards for parking, circulation, driveways, drainage, **designated smoking areas**, storage, screening, and landscaping, with the Zoning Ordinance and other applicable codes before any design review can be approved.

Add to Section 2.300 Definitions:

Alternative Design Tower: Artificial trees, **cactus**, clock towers, and similar non-traditional structures that are compatible with the existing setting or structures and camouflage or partially conceal the presence of antennas or towers. This includes any antenna or antenna array attached to the alternative design structure.

Designated Smoking Area: A portion of the parcel where smoking is permitted.

Sign, Freeway Billboard: An identification sign, or a sign which is intended to advertise a business, commodity, service, entertainment, product, or attraction sold, offered, or existing on or elsewhere than on the property where the sign is located and intended to be viewed primarily from SR 101, SR 303, or Northern Parkway.

Smoking: Inhaling, exhaling, burning, or carrying or possessing any lighted tobacco product, including cigars, cigarettes, pipe tobacco and any other lighted tobacco product.

Section 3.103.D.5. Board of Adjustment should be amended to read:

3.103.D.5. To exercise powers of the Airport Board of Adjustment pursuant to Arizona Revised Statutes Section 28-**8471 et seq. or as may be amended from time to time.**

Section 3.525.B.2 – Amendments to the General Plan – Text and Maps Public Notice should be amended to read:

3.525.B.2. All property owners within **five hundred (500)** feet of the exterior boundaries of the property subject to the application as shown on the last assessment of the property

shall be sent notice by first class mail, postmarked at least fifteen (15) days prior to the date of the scheduled public hearing.

Section 3.602 – Design Review When Review is Required should be amended by adding a new Section 3.602.H.:

3.602.H. Any change to the exterior color of the building.

Section 3.603 – Design Review Minor Design Review and Waiver of Design Review should be amended to read:

Section 3.603. Minor Design Reviews and Waiver of Design Review.

Some projects such as single residences, may not need a complete review in accordance with Sections 3.604 and Sections 3.605 even though one of the **eight (8)** requirements of Section 3.602 is met. The Planning Director may waive full Design Review if it is determined that such review will not further the purpose of this section.

Section 3.604 – Design Review Submittal Requirements for a Design Review application should be amended to add:

3.604.G. Location of Designated Smoking Area.

Section 3.604 – Design Review Submittal Requirements for a Design Review application should be amended to add:

3.604.H. The requirement to depict the location of a Designated Smoking Area shall not be waived by the Planning Director for any building, parcel, or project with a gross area greater than seven thousand five hundred (7,500) square feet which is not a single residence.

Section 3.605.B. – Design Review - Review and Approval should be amended to read:

3.605.B The proposed site development plan's building heights, building locations, access points, **designated smoking areas**, and parking lots will not negatively impact adjacent properties or the surrounding neighborhood.

Section 3.700 – Variances and Appeals can be restored to the zoning ordinance as it was written pre-2006 with a few amendments:

Reviewing the pre-2006 language, **Section 3.701. General** can be restored to the zoning ordinance as written.

3.701. General.

Appeals to the Board of Adjustment, set forth in Section 3.103.E. may be made by any person aggrieved or by any officer, department, or Board of the City affected by

any decision or interpretation made by the Planning Director while administering this ordinance. A variance from the terms of this ordinance may be requested by any person or their authorized agent, having an interest in the real property affected by the request.

Section 3.702. Application can be restored to the zoning ordinance as it was written pre-2006, with the addition of one new paragraph:

3.702. Application.

Applications shall conform with the provisions of Section 3.300. Appeals and variance requests shall be made on an application form specifying grounds for the appeal or variance, with other requested documentation as specified by the Planning Director, and the appropriate fee. An application for an appeal of any decision or interpretation made by the Planning Director shall be filed with the Planning Department within thirty (30) calendar days of the date of the decision or interpretation. After the Planning Department has determined that an application is complete, a public hearing with the Board of Adjustment will be scheduled. Any variance application, required fees and other documentation being submitted due to a pending enforcement action by the City shall be completed and filed with the Planning Department within sixty (60) calendar days of the date on the violation notice.

Section 3.703. Effect of Application can be restored to the zoning ordinance as it was written pre-2006.

3.703. Effect of Application.

Any variance or appeal application, unless otherwise provided by law, shall stay all proceedings in the manner appealed from, unless the Planning Director certifies that a stay would cause imminent peril to life or property. In such cases, proceedings will not be stayed except by a restraining order granted by the Board of Adjustment, or by a court of record on application and noticed to the Planning Director.

Section 3.704. Public Notice can be restored to the zoning ordinance as it was written pre-2006.

3.704. Public Notice.

The Board of Adjustment shall hold at least one (1) public hearing on the application for variance and appeals. Prior to the public hearing, notice shall be provided as follows:

- A. A notice shall be placed in the newspaper of general circulation of the area, or as may be designated by the City Council for legal public notices. The notice shall describe the type and nature of the request at least fifteen (15) days prior to the date of the scheduled hearing:

- B. A notice shall be posted on or near the property in at least one (1) location on a form proscribed by the Planning Department for such public notice. The posted notice shall be placed on the property at least fifteen (15) days prior to the date of the scheduled public hearing. It shall not be the responsibility of the City to maintain the posting once erected:**
- C. A notice by first class mail shall be made to nearby property owners who are potentially affected as determined by the Planning Director:**
- D. Notwithstanding the notice requirements set forth in this section, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the action for which the notice was given.**

Section 3.705. Findings for Appeals can be restored to the zoning ordinance as it was written pre-2006.

3.705. Findings for Appeals.

When considering an appeal of a decision or interpretation made by the Planning Director, the Board of Adjustment shall make its determination based on the following findings:

- A. The Planning Director did or did not evaluate all relevant provisions of this Zoning Ordinance:**
- B. The Planning Director did or did not consider all relevant information related to the decision or interpretation:**
- C. The Planning Director's decision was in error.**

If the Board of Adjustment determines that the decision or interpretation made by the Planning Director was made in error, the resulting decision by the Board shall not constitute an amendment to the ordinance by permitting a use which is not otherwise allowed, or waive the development standards of the zoning district in which the property is located.

Section 3.706. Findings for a Variance can be restored to the zoning ordinance as it was written pre-2006.

3.706. Findings for a Variance:

- A. The purpose of a variance is to restore equity when, due to special circumstances or conditions, the ordinance restricts one (1) property more severely than other properties in the same zoning district. The circumstances or conditions must be beyond the control of the owner and relate to the property as opposed to the owner. Personal hardship or inconvenience does not justify a variance. The burden of proof is on the property owner.**
- B. The Board of Adjustment shall make the following findings based on the evidence in the record prior to granting a variance.**

1. There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings which were not self imposed by the owner.
2. Due to special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties in the same classification in the same zoning district;
3. The variance is the minimum necessary to alleviate the property hardship; and
4. Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the city in general.

C. The Board of Adjustment shall not grant a variance when:

1. The special circumstances applicable to the property are self-imposed by the owner. This includes:
 - a. A hardship that has been intentionally, knowingly, or recklessly created.
 - b. The failure of the owner to consider other reasonable alternatives which do not require a variance.
2. The variance would constitute a change to the uses permitted in any zoning district.
3. The variance would constitute a grant of special privileges inconsistent with the limitations on other properties in the zoning district.

Section 3.707. Conditional Approval can be restored to the zoning ordinance as it was written pre-2006.

3.707. Conditional Approval:

The Board of Adjustment may place conditions on the variance to assure that the adjustment authorized will not grant special privileges inconsistent with the limitations on other properties in the vicinity.

Section 3.708. Effective Date of the Variance or Appeal is now numbered as Section 3.701. This section should be amended to read:

3.708. Effective Date of the Variance or Appeal.

The decision of the Board of Adjustment shall be final thirty (30) calendar days from the date of the public hearing unless an appeal is filed as provided for in this ordinance.

Section 3.709. Appeal to Superior Court is now numbered as Section 3.702. This section should be amended to read:

3.709. Appeal to Superior Court.

The City or any person aggrieved by a decision of the Board of Adjustment may within thirty (30) calendar days of the Board's decision, file a complaint for special action in Superior Court in accordance with A.R.S. 9-462.06(K) now in effect or as it may be amended from time to time.

Section 3.710. Modification of a Variance is now numbered as Section 3.703. This section should be amended to read:

3.710. Modification of a Variance.

Any alteration or expansion of a project for which a variance was approved shall comply with all current provisions and regulations of this Zoning Ordinance. Any request for modification or other change in conditions of approval of the variance shall be reviewed according to provisions of this article as a new application.\

Section 3.711. Revocation of a Variance is now numbered as Section 3.704. This section should be amended to read:

3.711. Revocation of a Variance.

When provisions of this ordinance related to the variance, or conditions or stipulations, made a part of the variance approval, have not been satisfied, the variance may be revoked as follows:

The Board of Adjustment shall, by first class mail, notify the holder of the variance of its intention to hold a hearing to consider revocation of the variance. The notice shall be made at least fifteen (15) days prior to date of the scheduled hearing. At the hearing, the Board of Adjustment shall consider evidence from all interested parties, and after deliberation, may revoke the variance or take any actions as may be necessary to insure compliance with the regulations or conditions of the approved variance.

Section 3.712. Reapplication is now numbered as Section 3.705. This section should be amended to read:

3.712. Re-application.

Where a variance or appeal has been denied, no application for a variance or appeal for the same or substantially the same issue on the same or substantially the same site shall be filed within one hundred eighty (180) days from the date of denial.

Section 3.713. Applicability of the Variance is now numbered as Section 3.706. This section should be amended to read:

3.713. Applicability of the Variance.

Except as may be otherwise stipulated or provided in this Zoning Ordinance, a variance granted pursuant to provisions of this article shall run with the land and continue to be

valid upon a change of ownership of the site or structure which was subject to the variance.

Section 3.806.B. – Amendments to the Zoning Ordinance – Text and Maps – Public Notice should be amended to read:

3.806.B. All property owners within **five hundred (500)** feet of the exterior boundaries of the property subject to the application as shown on the last assessment of the property shall be sent notice by first class mail, postmarked at least fifteen (15) days prior to the date of the scheduled public hearing.

Section 3.902.C. – Conditional Use Permits Application should be amended to read:

Section 3.902.C. A list of all owners of property within **five hundred (500)** feet of the exterior boundaries of the project subject to the application. The list shall be accompanied by a map showing the location of these properties.

Section 3.902.D. – Conditional Use Permits Application for a Conditional Use Permit should be amended to read:

3.902.D. A site plan including dimensions which depicts the type and location of buildings, structures, floor plans, parking, landscaping, **designated smoking area**, circulation, and other relevant information.

Section 3.907.A. – Conditional Use Permits Appeal Procedure should be amended to read:

Section 3.907.A. The action of the Planning Commission may be appealed to the City Council by the applicant, any member of the City Council, the City Manager, or any property owner within **five hundred (500)** feet of the property subject to the request. Such requests for appeal must be filed on an application form provided by the Planning Director with the appropriate fee, within fifteen (15) days following the date of the Planning Commission action.

Section 3.920 F. - Establishing a Historic Preservation (HP) District should be amended to read:

3.920.F. The Historic Preservation Commission shall also review proposed exterior design guidelines for the district to ensure that distinctive features will be preserved and enhanced. The design guidelines shall also address height, proportions, scale, materials, relationship of building masses and spaces, roof shape, and site improvements, such as landscaping, parking, and signage, as they relate to the identity of the Historic Preservation District. Exterior paint colors **shall** be included in these guidelines. These guidelines shall be adopted at the time of designation.

Section 5.103. A-1 – Agricultural District - Uses Subject to Conditions should be amended to read:

D. Wireless communication facilities, subject to Section 7.600.

Section 5.123. Rural Residential RR-90, RR-45 Rural Residence - Uses Subject to Conditions should be amended to read:

E. Wireless communication facilities, subject to Section 7.600.

Section 5.203. Suburban Residential SR-30, SR-17, SR-12 Suburban Residence - Uses Subject to Conditions should be amended to read:

F. Wireless communication facilities, subject to Section 7.600.

Section 5.303. Urban Residential R1-10, R1-8, R1-7 – Single Residence - Uses Subject to Conditions should be amended to read:

E. Wireless communication facilities, subject to Section 7.600.

Section 5.316. R1-6 – Single Residence Uses Subject to Conditions should be amended to add:

5.316.E. Wireless communication facilities, subject to Section 7.600.

- 1. Building mounted antennas may locate on buildings used for non-residential uses including churches, schools, public buildings, and other institutional uses.**
- 2. Alternative structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.**

Section 5.3182. R1-6 – Single Residence Design Review should be amended to add:

5.3182.C. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

Section 5.323. R1-4 Single Residence - Uses Subject to Conditions should be amended to read:

A. Wireless communication facilities, subject to Section 7.600

Section 5.413. R-2 – Mixed Residence - Uses Subject to Conditions should be amended to read:

F. Wireless communication facilities, subject to Section 7.600

Section 5.413. R-3 – Multiple Residence - Uses Subject to Conditions should be amended to read:

E. Wireless communication facilities, subject to Section 7.600

Section 5.440 – R-5 – Multiple Residence – Uses Subject to Conditions should be amended to read:

5.443.C. Wireless communication facilities, subject to Section 7.600.

Section 5.523 Uses Subject to Conditions should be amended to read:

C. Wireless communication facilities, subject to Section 7.600.

Section 5.523 CO - Commercial Office Uses Subject to Conditions should be amended to add:

5.523.B.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.524.F. CO - Commercial Office Uses Subject to Conditional Use Permit should be amended to read:

5.524.F. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.524.G. CO - Commercial Office Uses Subject to Conditional Use Permit should be amended to read:

5.524.G. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property.**

Section 5.503 R-O – Residential Office Uses Subject to Conditions should be amended to read:

C. Wireless communication facilities, subject to Section 7.600.

Section 5.523 – C-O – Commercial Offices Uses Subject to Conditions should be amended to read:

B. Wireless communication facilities, subject to Section 7.600.

Section 5.543 GO – General Office Uses Subject to Conditions should be amended to read:

C. Wireless communication facilities, subject to Section 7.600.

Section 5.543 GO - General Office Uses Subject to Conditions should be amended to add:

5.543.C.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.544.B. GO - General Office Uses Subject to Conditional Use Permit should be amended to read:

5.544.B. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.544.C. GO – General Office Uses Subject to Conditional Use Permit should be amended to read:

5.544.C. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property.**

Section 5.612A – PR – Pedestrian Retail Uses Subject to Conditions should be amended to read:

Wireless communication facilities, subject to Section 7.600.

Section 5.704 NSC – Neighborhood Shopping Center Uses Subject to Conditions should be amended to read:

B. Wireless communication facilities, subject to Section 7.600.

Section 5.704 NSC - Neighborhood Shopping Center Uses Subject to Conditions should be amended to add:

5.704.B.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.705.C. NSC – Neighborhood Shopping Center Uses Subject to Conditional Use Permit should be amended to read:

5.705.C. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.705.D. NSC - Neighborhood Shopping Center Uses Subject to Conditional Use Permit should be amended to read:

5.705.D. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property.**

Section 5.709.A.1. NSC – Neighborhood Shopping Center Master Development Plan should be amended to read:

5.709.A.1. The location of all proposed buildings, plazas, **designated smoking areas**, and pedestrian walkways.

Section 5.713 SC – Shopping Center Uses Subject to Conditions should be amended to read:

B. Wireless communication facilities, subject to Section 7.600

Section 5.713 SC – Shopping Center Uses Subject to Conditions should be amended to add:

Section 5.713.B.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.714.H. SC – Shopping Center Uses Subject to Conditional Use Permit should be amended to read:

5.714.H. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.714.I. SC – Shopping Center Uses Subject to Conditional Use Permit should be amended to read:

5.714.I. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property.**

Section 5.717. SC – Shopping Center Design Guidelines should be amended to add:

5.717.D. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

Section 5.733 C-1 – Neighborhood Commercial Uses Subject to Conditions should be amended to read:

B. Wireless communication facilities, subject to Section 7.600.

Section 5.733 C-1 – Neighborhood Commercial Uses Subject to Conditions should be amended to add:

5.733.B.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.734.C. C-1 – Neighborhood Commercial Uses Subject to Conditional Use Permit should be amended to read:

5.734.C. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.734.D. C-1 – Neighborhood Commercial Uses Subject to Conditional Use Permit should be amended to read:

5.734.D. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property**.

Section 5.753 C-2 – General Commercial Uses Subject to Conditions should be amended to add:

5.753.C.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.754.S. C-2 – General Commercial Uses Subject to Conditional Use Permit should be amended to read:

5.754.S. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.754.T. C-2 – General Commercial Uses Subject to Conditional Use Permit should be amended to read:

5.754.T. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property**.

Section 5.773 C-3 - Heavy Commercial Uses Subject to Conditions should be amended to read:

D. Wireless communication facilities, subject to Section 7.600.

Section 5.773 C-3 – Heavy Commercial Uses Subject to Conditions should be amended to add:

5.773.D.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.774.C. C-3 – Heavy Commercial Uses Subject to Conditional Use Permit should be amended to read:

5.774.C. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.774.D. C-3 – Heavy Commercial Uses Subject to Conditional Use Permit should be amended to read:

5.774.D. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property**.

Section 5.774.E. C-3 – Heavy Commercial Uses Subject to Conditional Use Permit should be amended to read:

E. Wireless communication facilities – alternative tower structure, otherwise not permitted under Section 7.600.

Section 5.785 CSC – Community Shopping Center Uses Subject to Conditions should be amended to add:

B. Wireless communication facilities, subject to Section 7.600.

Section 5.785 CSC – Community Shopping Center Uses Subject to Conditions should be amended to add:

5.785.C. Wireless communication facilities – alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.786.G. CSC – Community Shopping Center Uses Subject to Conditional Use Permit should be amended to read:

5.786.G. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.786.H. CSC - Commercial Shopping Center Uses Subject to Conditional Use Permit should be amended to read:

5.786.H. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property**.

Section 5.790.A.1. CSC – Community Shopping Center Master Development Plan should be amended to read:

5.790.A.1. The location of all proposed buildings, plazas, **designated smoking areas**, and pedestrian walkways.

Section 5.813 BP – Business Park Uses Subject to Conditions should be amended to add:

Wireless communication facilities, subject to Section 7.600.

Section 5.813 BP – Business Park Uses Subject to Conditions should be amended to read:

5.813.3. Alternative design tower structure or monopole located more than two hundred (200) feet from all residentially zoned property.

Section 5.814.G. BP – Business Park Uses Subject to Conditional Use Permit should be amended to read:

5.814.G. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.814.H. BP – Business Park Uses Subject to Conditional Use Permit should be amended to read:

5.814.H. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property.**

Section 5.818.C. BP – Business Park Master Development Plan should be amended to read:

5.818.C Open Space, Landscaping,. **Designated Smoking Areas.**

Section 5.843 M-1 – Light Industrial Uses Subject to Conditions should be amended to read:

B. Wireless communication facilities, subject to Section 7.600.

Section 5.843 M-1 – Light Industrial Uses Subject to Conditions should be amended to add:

5.843.B.3. Wireless communication facilities – alternative design tower structure or monopole located more than two hundred (200) feet residentially zoned property.

Section 5.844.E. M-1 – Light Industrial Uses Subject to Conditional Use Permit should be amended to read:

5.844.E. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.844.F. M-1 – Light Industrial Uses Subject to Conditional Use Permit should be amended to read:

5.844.F. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property.**

Section 5.863 M-2 – Heavy Industrial Uses Subject to Conditions should be amended to read:

B. Wireless communication facilities, subject to Section 7.600.

Section 5.863 M-2 – Heavy Industrial Uses Subject to Conditions should be amended to add:

5.863.B.3. Wireless communication facilities – alternative design tower structure or monopole located more than two hundred (200) feet of residentially zoned property.

Section 5.864.M. M-2 – Heavy Industrial Uses Subject to Conditional Use Permit should be amended to read:

5.864.M. Wireless communication facilities – new monopole **located within two hundred (200) feet of residentially zoned property** or changes to existing tower subject to development standards in Table 3-A.

Section 5.864.N. M-2 – Heavy Industrial Uses Subject to Conditional Use Permit should be amended to read:

5.864.N. Wireless communication facilities – alternative design tower structure **located within two hundred (200) feet of residentially zoned property.**

Section 5.912.B.4. PAD – Planned Area Development Procedures should be amended to add:

5.912.B.4.j. Designated Smoking Areas.

Section 5.912.B.4 PAD – Planned Area Development Procedures should be amended to add:

5.912.B.4.k. Preliminary approval for all requested building and tower heights from the Federal Aviation Administration.

Table 3-A Commercial/Employment Districts Wireless Communications shall be modified to eliminate the column with the heading “*Subject to Conditional Use Permit*” and the *R-O* and *P-R* rows.

Section 6.402 – HP – Historic Preservation Effect of Historic Preservation (HP) Zoning Designation should be amended by adding a new Section 6.402.F.:

6.402.F. Design Review is required as outlined in Section 3.600.

Section 6.504.A.7.l. – Special Use District Application Procedures should be amended as follows:

6.504.A.7.l. Elevations of all proposed structures **including a general description of architectural theme colors and type of exterior building materials for each structure or group of structures in the Special Use District.**

Section 6.504.A.7 - Special Use District Application Procedures should be amended by adding a new Section 6.504.A.7.m.:

6.504.A.7.m. The proposed architectural and site design concepts including style, colors, and types of materials.

Section 6.504.A.7. – Special Use District Application Procedures should be amended by adding a new Section 6.504.A.7.n.

6.504.A.7.n. Designated Smoking Area.

Section 6.504.A. – Special Use District Application Procedures should be amended by adding a new Section 6.504.A.9.:

6.504.A.9. Preliminary approval for all requested building heights from the Federal Aviation Administration (FAA) if applicable.

Section 7.103 - Signs Prohibited Signs should be amended to read:

7.103.F. Signs with intermittent or flashing illumination, **except Freeway Billboard Signs**, and animated or moving signs.

Section 7.104.B.3 - Signs Permitted Permanent Signs Office Districts Freestanding Identification Signs should be amended to read:

7.104.B.3.b. The sign shall not exceed a height of **ten (10)** feet.

7.104.B.3.h. Multi-tenant buildings and complexes. The sign may identify the name of the building or complex and the name of up to **eight (8)** businesses within the building or complex for a total of nine (9) names. Such sign shall not include any advertising copy.

Section 7.109.D.7 – Signs Required Permits and Fees should be amended as follows:

7.109.D.7. Inventory of all existing signs on the property showing the type, dimensions, **design copy, colors, materials**, and location of each sign.

Section 7.109.D.8. – Signs Required Permits and Fees should be amended as follows:

7.109.D.8. Fully dimensioned plans and elevations showing the dimensions, design copy, **colors, materials**, and location of each proposed sign.

Section 7.100 – Signs should be amended by adding a new Section 7.110:

7.110 Freeway Billboard Signs

A. Freeway Billboard Signs (FBS) are permitted in certain zoning districts subject to the regulations noted below.

- 1. Placing a Freeway Billboard Sign requires the lot to have a minimum of one thousand (1,000) feet of lineal frontage adjacent to one of the following:**
 - a. SR 101 (Agua Fria Freeway)**
 - b. SR 303 (Bob Stump Memorial Parkway)**
 - c. Northern Parkway**
- 2. Placing a Freeway Billboard Sign on a lot requires a minimum of 125,000 square feet of building area which has received a Certificate of Occupancy on the lot.**
- 3. The zoning of the lot on which the Freeway Billboard Sign is located must be Planned Area Development (PAD).**
- 4. One Freeway Billboard Sign is allowed for every six hundred sixty (660) lineal feet of freeway frontage on each side of the freeway.**
- 5. The Freeway Billboard Sign must be located within three hundred (330) feet of the freeway right-of-way.**
- 6. There shall be a minimum distance of six hundred sixty (660) feet between all Freeway Billboard Signs on any single lot.**
- 7. All Freeway Billboard Signs must be set back a minimum of three hundred thirty (330) feet from the property line of any adjacent property having frontage on one of the routes listed in section 7.110.A.1..**
- 8. Maximum sign height, including any supporting structures, for a Freeway Billboard Sign must be no more than eighty (80) feet.**
- 9. Maximum Freeway Billboard Sign width must be no more than fifty (50) feet.**
- 10. Maximum Freeway Billboard Sign area must not exceed six hundred sixty five (675) square feet.**
- 11. The message or image of the Freeway Billboard Sign may be static or change a specific or programmed time intervals. The change in message or images shall occur no more frequently than once every eight (8) seconds and shall not have fade or dissolve transitions, or full**

animation or video, or similar subtle transitions or frame effects that have the appearance of moving text or images.

12. Provisions in this section supplement and do not supersede provisions of any PAD in existence before the effective date of this ordinance.
13. Design Review approval is required to allow any Freeway Billboard Sign, including those within any PAD in existence before the effective date of this ordinance.
14. Any application for development or construction of a Freeway Billboard Sign shall submit a Federal Aviation Form 7460-1 to the local Federal Aviation Administration office for review. A positive recommendation from the Federal Aviation Administration stating the Freeway Billboard Sign has no negative effect on any airport or navigational airspace must be received prior to Design Review approval.
15. The Glendale Municipal Airport Manager and Luke Air Force Base shall be informed of all requests for Freeway Billboard Sign. The Airport Manager and a representative of the Base shall both state that the Freeway Billboard Sign has no impact on facility operations prior to Design Review approval.
16. The minimum setback standard of Section 7.110.A.7 may be reduced by the Zoning Administrator upon a showing by the property owner that strict application of the standard to a specific sign installation will cause a potential hazard to motorist safety due to visibility limitations caused by:
 - a. Existing or proposed structures; or
 - b. Grade or elevation changes at or near the subject property; or
 - c. Proximity to existing or proposed bridges, overpasses or other similar roadway features; or
 - d. Curvature or other design feature of the adjacent freeway; or

Section 7.201.A – Landscaping, Buffering, Walls - Walls, should be amended as follows:

7.201.A. The developer of property in SC, C-1, NSC, C-2, CSC, C-3, BP, M-1, or M-2 districts which abuts any residential district must provide a wall with a minimum height of eight (8) feet along the abutting property line. The wall must be at least eight (8) inches thick and constructed of decorative block or other finish **with design, materials, and color** approved by the Planning Director, consistent with the project and the adjoining residential area.

Section 7.201.B – Landscaping, Buffering, Walls - Walls, should be amended as follows:

7.201.B. The developer of properties in RO, CO, or GO districts, or any nonresidential use in any residential district which abuts any residential district, must provide a wall with a minimum height of six (6) feet along the abutting property line. The wall must be constructed of decorative block or other finish **with design, materials, and color**

approved by the Planning Director, consistent with the project and the adjoining residential district.

Section 7.201.C – Landscaping, Buffering, Walls - Walls, should be amended as follows:

7.201.C. The developer of properties in the R-2, R-3, R-4, or R-5 districts which abut any A-1, SR, or R-1 districts must provide a wall with a minimum height of six (6) feet along the abutting property line. The wall must be constructed of decorative block or other finish **with design, materials, and color** approved by the Planning Director, consistent with the project and the adjoining residential district.

Section 7.503 – Standards for Uses Subject to Conditions Seasonal Sales and Special Events should be added should be amended by adding a new Section 7.503.G.:

7.503.G. Design Review is required as outlined in Section 3.600.

Section 7.504.B. Standards for Uses Subject to Conditions Subdivision Model Home Complexes should be amended to read:

7.504.B. A model home complex plan is required which contains information as required by the Planning Director, **including the location of the Designated Smoking Area**. The Planning Director shall review and approve the plan prior to the issuance of building permits for models.

Section 7.504 – Standards for Uses Subject to Conditions Subdivision Model Home Complexes should be amended by adding a new Section 7.504.D.:

7.504.D. Design Review is required as outlined in Section 3.600.

Section 7.505 – Standards for Uses Subject to Conditions Temporary Office or Construction Trailers should be amended by adding a new Section 7.505.D.:

7.505.D. Design Review is required as outlined in Section 3.600.

B. Rooftop Mounted Antennas.

1. **Roof mounted antennas may exceed the maximum height of the zoning district but shall not extend more than ten (10) feet above the existing building height.**
2. **The antenna array scale and visibility shall be minimized.**
3. **Equipment shelters may locate on the building roof if screened from view of surrounding properties.**

C. Building Mounted Antennas.

1. **Antennas shall not extend above the height of the wall on which they are located or integrated.**

2. Antennas shall not project more than twenty (20) inches from the existing building wall.
 3. Equipment shelters may locate on the building roof if screened from view of surrounding properties.
- D. Alternative Tower Structure.**
1. The maximum additional height permitted by extension of an existing pole or by replacement pole is fifteen (15) feet.
 2. The maximum increase in pole diameter from the existing pole by the replacement pole is fifty (50) percent.
 3. The maximum width of the antenna array shall be four (4) feet.

Section 7.506 Wireless Communication Facilities has been deleted.

Section 7.601 Wireless Communication Facilities, including Alternative Design Towers and Alternative Tower Structures add the following under General Provisions:

- E. Rooftop Mounted Antennas.**
4. Roof mounted antennas may exceed the maximum height of the zoning district but shall not extend more than ten (10) feet above the existing building height.
 5. The antenna array scale and visibility shall be minimized.
 6. Equipment shelters may locate on the building roof if screened from view of surrounding properties.
- F. Building Mounted Antennas.**
4. Antennas shall not extend above the height of the wall on which they are located or integrated.
 5. Antennas shall not project more than twenty (20) inches from the existing building wall.
 6. Equipment shelters may locate on the building roof if screened from view of surrounding properties.
- G. Alternative Tower Structure.**
4. The maximum additional height permitted by extension of an existing pole or by replacement pole is fifteen (15) feet.
 5. The maximum increase in pole diameter from the existing pole by the replacement pole is fifty (50) percent.
 6. The maximum width of the antenna array shall be four (4) feet.

Section 7.602 Monopoles should be amended as follows:

- A. New monopoles must be separated by a minimum distance of one eighth (1/8) mile from any other monopole.**
- B. Monopoles shall be setback from any arterial or major arterial street a minimum of one hundred (100) feet.**

- C. Monopole towers and antennas shall not be illuminated or display warning lights unless required by the Federal Aviation Administration or other federal or state authority.**
- D. Any access road to a monopole site shall be paved.**
- E. One (1) paved parking space shall be provided on site unless otherwise provided on adjacent property.**
- F. All new monopoles over fifty (50) feet in height shall be constructed to allow for collocation by other wireless providers. The applicant shall demonstrate that the engineering of the tower and the placement of ground mounted facilities will not preclude other providers. The owner of the proposed tower must certify in writing that the tower will be available for use by other wireless communication providers on a economically reasonable and non-discriminatory basis.**
- G. Design review is required as outlined in Section 3.600.**

Section 7.603 Amendments to Existing Monopoles should be amended as follows:

- C. Any amendment to an existing monopole requires Administrative Review approval by the Planning Director.**